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 10 IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12
 13 **THE STATE OF CALIFORNIA, et al.,**
 14 Plaintiffs,
 15 v.
 16 **DONALD J. TRUMP, President of the**
 17 **United States, et al.,**
 18 Defendants.

3:17-cv-05895-VC

**JOINT STIPULATION AND
 [PROPOSED] ORDER AS MODIFIED
 AMENDING BRIEFING SCHEDULE
 AND CONTINUING HEARING ON
 PARTIES' DISPOSITIVE CROSS-
 MOTIONS**

19
 20 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, the parties hereby jointly stipulate to the
 21 following request for an order continuing the briefing schedule and hearing date on the parties'
 22 dispositive cross-motions:

23 On January 9, 2018, the Court set the following briefing schedule:

24 Plaintiffs' brief #1: 4/20/2018 (30 pages)

25 Amicus brief in support of plaintiffs or for neither plaintiffs or defendants:
 26 4/27/2018 (15 pages)

27 Defendants' brief #1: 5/15/2018 (30 pages)

28 Amicus brief in support of defendants: 5/22/2018 (15 pages)

1 Plaintiffs' brief #2: 6/5/2018 (25 pages)

2 Defendants' brief #2: 6/26/2018 (20 pages)

3 Motion Hearing set for 7/11/2018 10:00 AM in Courtroom 4, 17th Floor,
4 San Francisco before Judge Vince Chhabria.

5 The parties hereby stipulate to, and request that the Court order, the following amended
6 briefing schedule:

7 Plaintiffs' brief #1: 7/20/2018 (30 pages)

8 Amicus brief in support of plaintiffs or for neither plaintiffs nor defendants:
9 7/27/2018 (15 pages)

10 Defendants' brief #1: 8/21/2018 (30 pages)

11 Amicus brief in support of defendants: 8/28/2018 (15 pages)

12 Plaintiffs' brief #2: 9/14/2018 (25 pages)

13 Defendants' brief #2: 10/5/2018 (20 pages)

14 Motion Hearing set for 10/18/2018 10:00 AM in Courtroom 4, 17th Floor,
15 San Francisco before Judge Vince Chhabria.

16 As set forth in the attached Declaration of Nimrod P. Elias, good cause exists for the
17 parties' joint request to amend the briefing schedule and continue the hearing date. The parties
18 believe that it is appropriate for the *House v. Azar* litigation to be resolved before litigation
19 proceeds in this case. As the parties informed the Court last month, the D.C Circuit ordered the
20 *House v. Azar* parties to file a supplemental brief explaining "what 'exceptional circumstances'
21 justify partial vacatur." Order, *U.S. House of Reps. v. Azar*, No. 16-5202, Doc. No. 1720517
22 (D.C. Cir. Mar. 5, 2018). The *House v. Azar* parties filed their supplemental brief with the D.C.
23 Circuit on April 11, 2018. The parties here believe that a further extension in this case is
24 warranted to ensure efficient use of the Court's resources and to prevent possible litigation of the
25 merits question in two different courts at the same time. Therefore, the parties respectfully
26 request that the briefing and hearing schedule be modified as outlined above.
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1 Dated: April 16, 2018

Respectfully submitted,

2 XAVIER BECERRA
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3 JULIE WENG-GUTIERREZ
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4

5 */s/ Nimrod P. Elias*

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Counsel for Defendants

LOCAL RULE 5-1(i) ATTESTATION

I attest that I have obtained Joseph Dugan’s concurrence in the filing of this document.

/s/ Nimrod P. Elias
NIMROD P. ELIAS

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~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation, the Court hereby orders that the schedule for the parties' dispositive cross-motions is amended as follows:

Plaintiffs' brief #1: 7/20/2018 (30 pages)

Amicus brief in support of plaintiffs or for neither plaintiffs nor defendants:
7/27/2018 (15 pages)

Defendants' brief #1: 8/21/2018 (30 pages)

Amicus brief in support of defendants: 8/28/2018 (15 pages)


Plaintiffs' brief #2: 9/14/2018 (25 pages)

Defendants' brief #2: 10/5/2018 (20 pages)

Motion Hearing set for ~~10/18/2018~~ 10/24/2018 10:00 AM in Courtroom 4,
17th Floor, San Francisco before Judge Vince Chhabria.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 18, 2018



Hon. Vincent Chhabria
United States District Judge